

Remarks

Applicant respectfully requests favorable reconsideration of the present application in view of the amendments and remarks set forth herein. Applicant appreciates the Examiner's examination of this application and the indicated allowability of claims 3, 11, 12, 13, 17, 18, 20, 21, 22.

Applicant has amended claims 4, 5, 6, 7, 14, 19 and 24 and respectfully asserts that these claims are allowable as presented herein. Claims 4, 5, 6, 7, and 19 were amended to change the dependency of the claim to an allowable claim. Claim 14 was amended to incorporate a foot on the extension. Claim 24 was amended consistent with the Examiner's recommendation for allowability. Additionally, applicant respectfully asserts that claims 8, 9, and 10 are allowable as depending from allowable claims. Claims 1, 2, 15, 16 and 23 are canceled.

New claims 25- 37 are based on the allowable claims and the application as originally filed and do not add any new matter. No additional search is required upon the addition of new claims 25 -37. Generally, the new claims have all of the limitations of the allowable claims except for exclusion of the faucet and the servers from the independent claims. The faucet and positive recitation of the servers has not been included in the independent new claims. The new claims include a support such as a foot or leg which is not shown in the prior art. For the reasons noted below Applicant respectfully asserts that the new claims are allowable over the prior art of record and more specifically the Roberts reference as previously cited by the Examiner. Applicant respectfully requests allowance of new claims 25 -37.

The Examiner previously rejected claims based on the Roberts reference. The Roberts reference does not provide an extension as set forth in the claims including a support such as a foot or leg depending therefrom to help support the beverage dispenser. More particularly, Roberts does not have an extension protruding from the body of the housing in the dispensing area and positioned proximate to and extending substantially along at least one side of the at least one server in the dispensing area. The

extensions 107 identified by the Examiner in the previous rejections are indicated in the reference to be "plates" and function to "align" and "position" the servers. These plates 107 do not support the dispenser and there is no disclosure in Roberts that indicates that supports could be used with the plates. In fact, use of a support such as a leg or foot is contrary to Roberts as the plates are merely intended to align the servers relative to the dispenser .

The new claims are asserted to be allowable over the cited references. In view of the foregoing amendments and remarks Applicant respectfully request that the Examiner allow the claims in the present application.

Conclusion

A Petition for a 2-Month Extension of Time is submitted herewith. Please charge any fee due for the extension to the Deposit Account identified below. Fees associated with the new claims should be charged to the Deposit Account identified below.

The Commissioner is authorized to charge any deficiencies or credit any overpayments to Deposit Account number 12-0913 with reference to our attorney docket number 27726-94930.

Respectfully submitted,
BARNES & THORNBURG LLP



11/25/06

Grant H. Peters
Registration No. 35,977

CHDS01 GHP 315005v1